

10261

Attn: Maggie

CIVIL COURT OF THE CITY OF NEW YORK
COUNTY OF BRONX: PART 34C

R.P.W. SYSTEMS, LTD AAO
SEAMAN'S FURNITURE.,

FILED
Plaintiff CLERK'S OFFICE

INDEX NO. CV-05866-07

-against-

MAR 16 2017
CIVIL COURT
BRONX COUNTY

Decision and Order

ESMERILDA M. CREARY,
Defendant.

Recitation, as required by CPLR § 2219(a), of the papers considered in reviewing the underlying motion:

PAPER(S) NUMBERED

Notice of Motion and annexed Exhibits and Affidavits.....

The defendant's application to vacate the default judgment is hereby granted on default for the second time in this action. The default judgement is hereby vacated and the action is dismissed with prejudice. Any liens, levies, restraints or executions issued by Plaintiff against any property or bank accounts of the defendant shall be vacated. Any funds, including fees, in the possession of the plaintiff, City Marshal or any other agent shall be returned to the defendant or any other agent shall be returned to the defendant.

This shall constitute the decision and order of the Court.

March 16, 2017

March 16, 2017

J.C.C.
HON. SABRINA B. KRAUS

Dismissal with
prejudice is based on Plaintiff's failure to state a cause of action within the statute of limitations. Defense is raised in the moving papers.

Dismissal with

J.C.C.
HON. SABRINA B. KRAUS